

FORTY-FOURTH DAY
(Wednesday, March 30, 1983)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Washington, Whitmire, Williams.

A quorum was announced present.

The Reverend Clarence Bassett, El Buen Pastor Presbyterian Church, Austin, offered the invocation as follows:

God, our Creator and Redeemer, we find it easy to honor You with a few words, and then go our way. Show us how to really know You, how to have You transform us and our society. How shall we act towards those who do not believe in You? Those who say it is wrong even to have a prayer in this place? Show us also the way to justice and opportunity for all who have been overlooked or mistreated or pushed aside. And Lord, in the pressures and busyness of our life, keep us from neglecting our families. Strengthen our family ties every day. Make this Easter season a glorious time of renewal of faith and commitment. We pray in the Name of Him who has overcome everything that we fear. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

House Chamber
March 30, 1983

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 44, Relating to certain powers, duties, and procedures of the State Commission on Judicial Conduct and the discipline of judges.

H.B. 131, Relating to workers' compensation funeral benefits.

H.B. 639, Relating to the federal post card application for an absentee ballot.

H.B. 642, Relating to awarding the Texas Department of Human Resources fees for court-ordered social studies.

H.B. 730, Relating to the validity of signatures on voter's petitions in certain elections.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

GUEST PRESENTED

The President introduced Mrs. Lanita Connally of Ector County, guest of Senator Montford.

The Senate extended a welcome to Mrs. Connally.

REPORTS OF STANDING COMMITTEES

Senator Brooks submitted the following report for the Committee on Health and Human Resources:

S.C.R. 40

Senator Sharp, Acting Chairman, submitted the following report for the Committee on Health and Human Resources:

C.S.S.B. 423 (Read first time)

Senator Jones submitted the following report for the Committee on Finance:

C.S.S.B. 985 (Read first time)

C.S.S.B. 988 (Read first time)

Senator Traeger submitted the following report for the Committee on Intergovernmental Relations:

S.B. 257

S.B. 1270 (Amended)

S.B. 769

S.B. 875

S.B. 1224

S.B. 826

H.B. 164

C.S.S.B. 474 (Read first time)

C.S.S.B. 1112 (Read first time)

Senator Mauzy submitted the following report for the Committee on Jurisprudence:

S.B. 1185

S.B. 439

S.B. 878

S.B. 1190

C.S.S.B. 1184 (Read first time)

C.S.S.B. 1006 (Read first time)

C.S.S.B. 864 (Read first time)

C.S.S.B. 1024 (Read first time)

C.S.S.B. 292 (Read first time)

Senator Santiesteban submitted the following report for the Committee on Natural Resources:

S.B. 1060 (Amended)

S.B. 1076

S.B. 590

Senator Parker submitted the following report for the Committee on Education:

S.B. 428 (Amended)

S.B. 697

S.B. 891

S.B. 516

S.B. 893

S.B. 892

S.B. 894

C.S.S.B. 517 (Read first time)

SENATE BILLS AND RESOLUTION ON FIRST READING

On motion of Senator Montford and by unanimous consent, the following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 1269 by Sarpalius Natural Resources
Relating to creation, administration, powers, duties, operations, and financing of the Buffalo Lake Water District.

S.B. 1275 by Glasgow Intergovernmental Relations
Relating to the election of directors of the Palo Pinto Hospital District.

S.B. 1276 by Caperton Intergovernmental Relations
Relating to the creation of the 348th Judicial District, composed of Montgomery County.

S.B. 1277 by Farabee Natural Resources
Relating to the vesting of title by judicial proceeding to certain abandoned mineral interests.

S.B. 1278 by Farabee Health and Human Resources
Relating to establishment of a Texas Mental Health Code Public Information Program.

S.B. 1279 by Mauzy Natural Resources
Relating to the creation and description of the Trinity River State Park.

S.B. 1280 by Mauzy State Affairs
Relating to expansion of the preference given Texas and American bidders for state purchasing contracts.

S.B. 1281 by Santiesteban Intergovernmental Relations
Relating to the county courts at law in El Paso County.

S.B. 1282 by Whitmire Jurisprudence
Relating to amending Acts 1977, 65th Legislature, page 1892, chapter 753, (Article 1934d., Section 1. (a), Texas Revised Civil Statutes), as amended, to provide for a co-presiding judge to act in the absence or disability for any reason of the regular presiding judge; providing a severability clause; and declaring an emergency.

S.B. 1283 by Parker Natural Resources
Amending Chapter 61 of the Texas Water Code; providing for the conversion of a navigation district acting under Article III, Section 52 of the constitution of the State of Texas into a navigation district acting under Article 16, Section 59 of the constitution of the State of Texas; containing other provisions relating to the subject; and declaring an emergency.

S.B. 1284 by Parker Jurisprudence
Relating to the duty of a parent to support his or her adult child in certain circumstances; providing for a suit for support.

S.B. 1285 by Parker Intergovernmental Relations
Relating to the creation of the County Court at Law of Liberty County.

S.B. 1286 by Parker Intergovernmental Relations
Relating to the creation of the County Court of Jefferson County at Law No. 3 and to the jurisdiction of and other provisions pertaining to the County Courts of Jefferson County at Law Nos. 1 and 2.

S.B. 1287 by Brooks Health and Human Resources
Relating to coverage for mental and emotional illness and disorders in certain accident and sickness insurance policies.

S.B. 1288 by Brooks Health and Human Resources
Relating to the establishment of child care facilities for children of county employees in certain counties.

S.J.R. 45 by McFarland, Howard State Affairs
Proposing a constitutional amendment relating to senate confirmation of appointments by the governor to the judiciary and to the Railroad Commission of Texas.

HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House were read the first time and referred to the Committee indicated:

H.B. 46, To Committee on Jurisprudence.

H.B. 291, To Committee on Jurisprudence.

H.B. 375, To Committee on Jurisprudence.

H.B. 972, To Committee on State Affairs.

H.J.R. 4, To Committee on Jurisprudence.

H.J.R. 29, To Committee on Economic Development.

SENATE BILL 256 WITH HOUSE AMENDMENT

Senator Sarpalius called **S.B. 256** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.
Amendment No. 1 - Polk

Amend **S.B. 256**, first printing, by striking the word "exceed" on line 21, page 1, and substituting the word "extend".

The amendment was read.

Senator Sarpalius moved to concur in the House amendment.

The motion prevailed.

SENATE BILL 114 WITH HOUSE AMENDMENTS

Senator Howard called **S.B. 114** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.
Amendment No. 1 - Salinas

Amend Section 1, Quoted Sec. 9, of **S.B. 114** by adding the following sentence before the word "the":

"The office may accept on behalf of Texas such donations and contributions as in its discretion shall further the purposes and objectives of the office."

Amendment No. 2 - D. Hudson

Amend S.B. 114 on Third Reading by striking the quoted Section 9 that begins on page 2 of the bill and substituting the following:

"Section 9. (a) The office may accept on behalf of Texas such donations and contributions as in its discretion shall further the purposes and objectives of the office. A donation or contribution may not be used to pay any part of the compensation of a person who is an officer or employee of the office on the date the donation or contribution is received by the office.

"(b) The State Auditor shall audit the financial transactions of the office during each fiscal year."

The amendments were read.

Senator Howard moved to concur in the House amendments.

The motion prevailed.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The President announced the time had arrived to consider the Executive appointments to agencies, boards and commissions. Notice of submission of these names for consideration was given by Senator Howard yesterday.

Senator Howard moved confirmation of the nominees reported yesterday by the Subcommittee on Nominations.

The President asked if there were requests to sever nominees.

Senator Jones requested that Robert C. Lanier to be a Member of the State Highway and Public Transportation Commission be severed.

Senator Kothmann requested that Van Henry Archer, Jr., to be a Member of the Texas Advisory Commission on Intergovernmental Relations be severed.

The requests were granted.

NOMINEES CONFIRMED

The following nominees, not severed and as reported by the Subcommittee on Nominations, were confirmed by the following vote: Yeas 31, Nays 0.

Members, Board of Regents, Lamar University: MERLIN BREAUX, Hardin County; GEORGE A. DISHMAN, JR., Jefferson County; HUBERT OXFORD III, Jefferson County.

Members, Board of Regents, Pan American University: EDDIE ROBERT CANO, Hidalgo County; KENTON E. SCHAEFER, Cameron County; MELVIN J. HILL, Harris County.

Members, Board of Regents, West Texas State University: TOM CHRISTIAN, Armstrong County; JEROME ROBERT WALSH, JR., Hutchinson County.

Members, Texas Aeronautics Commission: MAXEY R. GROSSENBACHER, Cameron County; WARREN C. HARMON, Brazos County.

Members, Board of Trustees, Texas County and District Retirement System: JACK E. BENSON, Tarrant County; JOAN HANSON CASON, Nacogdoches County; DAVID CHAPPELL, Nueces County; JOE FLACK, Harris County; JUDGE WINSTON CHARLES REAGAN, Henderson County.

Firemen's Pension Commissioner: HAL H. HOOD, Travis County.

Members, Texas Advisory Commission on Intergovernmental Relations: DR. MARION ELI DOUGLASS, Dallas County; FRED N. PFEIFFER, Bexar County; VICTOR RODRIGUEZ, Bexar County.

Judge, 296th Judicial District: JUDGE VERLA SUE HOLLAND, Collin County.

Members, State Commission on Judicial Conduct (Appointed by the Supreme Court of Texas): JUDGE JOHN T. BOYD, Potter County; JUDGE JAMES W. DINKINS, Montgomery County; JUDGE HARRY W. HOPKINS, Parker County; JUDGE WILLIAM E. JUNELL, Harris County; JUDGE RAUL L. LONGORIA, Hidalgo County.

(Appointed by the Governor): NATHAN IRVING REITER, JR., Bowie County; ROBERT DAVID ROGERS, Dallas County.

Member, Texas Juvenile Probation Commission: JERRELL STOKES REED, JR., Wood County.

Members, Texas Low-Level Radioactive Waste Disposal Authority: FREDERICK J. BONTE, M.D., Dallas County; ALBERT GONZALEZ, Dallas County; FRANK ANTHONY PERRONE, Harris County; JIM R. PHILLIPS, El Paso County; JOHN E. SIMEK, Brazos County.

Members, Metric System Advisory Council: CAROLYN R. BACON, Dallas County; MRS. JOAN BURBA, Young County; JESSE M. DeWARE IV, Marion County; RAQUEL GONZALEZ, Webb County; ALICE KIDD, Ph.D., Travis County; MICHAEL J. KISZKIEL, Harris County; WILLIAM FRANKLIN NICOL, Dallas County; GUADALUPE QUINTANILLA, Harris County; MRS. DOROTHY TOOTHAKER, Hidalgo County.

Members, Texas Motor Vehicle Commission: THOMAS MELVIN DEMAREST, JR., Tarrant County; MRS. SELMA ALICE HERMANN, Brazoria County; ROBERT HOY, El Paso County.

Member, Occupational Safety Board: HOWARD L. KUSNETZ, Harris County.

Member, State Board of Pharmacy: MRS. VIRGINIA MARIE BAUMAN, Dallas County.

Member, Public Utility Commission of Texas: GENERAL TOMMIE GENE SMITH, Bexar County.

Members, Structural Pest Control Board: MAXINE R. GOODMAN, Caldwell County; TOMMY L. BROWN, Tarrant County.

Member, Texas Energy and Natural Resources Advisory Council: JAMES E. RUSSELL, Taylor County.

Member, Texas Indian Commission: WILBER EDISON FIFER, JR., El Paso County.

Members, Texas Tourist Development Board: MRS. MARGARET M. MARTIN, Hill County; MRS. VIRGINIA McMILLIN EGGERS, Dallas County; PETE SCHENKEL, Dallas County.

Judge, 328th Judicial District: JUDGE THOMAS O'DELL STANSBURY, Fort Bend County.

NOMINEES CONSIDERED

Question on the confirmation of Robert C. Lanier, to be a Member of the State Highway and Public Transportation Commission, Mr. Lanier was confirmed by the following vote: Yeas 28, Nays 3.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Jones, Sims, Washington.

Question on the confirmation of Van Henry Archer, Jr., to be a Member of the Texas Advisory Commission on Intergovernmental Relations, the Senate refused to confirm Mr. Archer by the following vote: Yeas 0, Nays 31.

MESSAGE FROM THE HOUSE

House Chamber
March 30, 1983

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 132, Recognizing the Texas Retired Teachers Association on holding its Thirtieth Annual Convention in Waco on April 15-17, 1983.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILL 97 ON THIRD READING

Senator Mauzy asked unanimous consent to suspend the regular order of business to take up for consideration at this time on its third reading and final passage:

S.B. 97, Relating to the qualifications of the presiding judge of the First Administrative Judicial District and to the qualifications of district judges assigned by the presiding judge of that administrative judicial district.

There was objection.

Senator Mauzy then moved to suspend the regular order of business and take up **S.B. 97** for consideration at this time.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Brooks, Caperton, Doggett, Edwards, Farabee, Glasgow, Kothmann, Lyon, Mauzy, Montford, Parker, Parmer, Santiesteban, Sharp, Traeger, Truan, Uribe, Vale, Washington, Whitmire, Williams.

Nays: Blake, Brown, Harris, Henderson, Howard, Jones, Leedom, McFarland, Sarpalius, Sims.

The bill was read third time and was finally passed by the following vote: Yeas 21, Nays 10. (Same as previous roll call)

SENATE BILL 565 ON THIRD READING

On motion of Senator Washington and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

S.B. 565, Relating to the certification of court reporters and persons who engage in the practice of shorthand reporting in courts of this state.

The bill was read third time and was finally passed.

COMMITTEE SUBSTITUTE SENATE BILL 606 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 606, Relating to the creation of a special district in counties with a population of more than 2 million and certain adjacent territory to administer a system by which the 9-1-1 telephone number is used by local governments as their primary emergency telephone number.

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend **C.S.S.B. 606** as follows:

- (1) On page 3, strike lines 10 and 11 and substitute the following:
 - (4) one voting member appointed jointly:
 - (A) by nonprincipal cities, in the case of the initial member appointed under this subdivision; and
 - (B) by nonprincipal cities that are participating jurisdictions, in the case of each successor member appointed under this subdivision; and
- (2) On page 5, line 45, after the period, add the following: If a tentatively established district is dissolved, the procedure to establish a new district that will include any part of the dissolved district may be initiated only after the expiration of one year from the date of the election that resulted in the dissolution of the previous district. The procedure for establishing the new district is the same procedure prescribed by this Act for originally establishing a district and is initiated by the appointment under Section 5 of this Act of a board of managers for the new district.
- (3) On page 7, add Subsection (d) to Section 15 to read as follows:
 - (d) If a district is dissolved under this Act, the 9-1-1 service shall be discontinued on the date of the dissolution. The commissioners court of the county in which the principal part of the district was located shall assume the assets of the district and pay the debts of the district. If the assets of the district are insufficient to retire the outstanding bonded indebtedness of the district, the commissioners court shall continue to levy the 9-1-1 emergency service fee, the proceeds from which may be used only to retire the outstanding bonded indebtedness of the district. The commissioners court shall retire the indebtedness of the district to the extent practicable in accordance with the terms of the bonds and the terms of the orders and resolutions authorizing their issuance. The service supplier shall continue to collect the 9-1-1 emergency service fee and shall pay the fee to the commissioners court. The commissioners court by order may adopt regulations necessary to administer this subsection.
- (4) On page 7, line 50, and on page 8, line 27, strike "50" and substitute "25".

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 606 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 606 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

SENATE BILL 409 ON SECOND READING

Senator Parker asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

S.B. 409, Relating to the provision of physical facilities for Lamar University at Port Arthur and Lamar University at Orange.

There was objection.

Senator Parker then moved to suspend the regular order of business and take up **S.B. 409** for consideration at this time.

(Senator Traeger in Chair)

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Kothmann, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Washington, Whitmire, Williams.

Nays: Jones, Mauzy, Vale.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 409 ON THIRD READING

Senator Parker moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 409** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Kothmann, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Jones, Mauzy, Washington.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Kothmann, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Washington, Whitmire, Williams.

Nays: Jones, Mauzy.

SENATE BILL 446 ON SECOND READING

On motion of Senator Jones and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 446, Relating to inspection of and insurance for certain amusement rides and attractions; providing penalties.

The bill was read second time.

Senator Jones offered the following committee amendment to the bill:

Amend **S.B. 446** page 2, line 12-18 by striking all thereon and substituting the following:

“(2) has an insurance policy currently in force written by an insurance company authorized to do business in this state, a surplus lines insurer as defined by Article 1.14-2 of this Code, or an independently procured policy subject to Article 1.14-1, in an amount of not less than \$1 million per occurrence insuring the owner or operator against liability for injury to persons arising out of the use of the amusement ride or attraction;”

The committee amendment was read.

On motion of Senator Jones and by unanimous consent, the committee amendment was withdrawn.

Senator Jones offered the following amendment to the bill:

Amend **S.B. 446** by striking all below the enacting clause and substituting the following:

SECTION 1. Chapter 21, Insurance Code, is amended by adding Article 21.53 to read as follows:

Art. 21.53. AMUSEMENT RIDE SAFETY INSPECTION AND INSURANCE ACT

Sec. 1. SHORT TITLE. This article may be cited as the Amusement Ride Safety Inspection and Insurance Act.

Sec. 2. DEFINITIONS. In this article:

(1) “Amusement ride” means any mechanical device or devices that carry or convey passengers along, around, or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, or excitement, but such term does not include (1) any single-passenger coin-operated ride that is manually, mechanically, or electrically operated and customarily placed in a public location and that does not normally require the supervision or services of an operator, or (2) nonmechanized playground equipment including but not limited to swings, seesaws, stationary spring-mounted animal features, rider-propelled merry-go-rounds, climbers, slides, trampolines, and physical fitness devices.

(2) “Board” means the State Board of Insurance.

Sec. 3. ADMINISTRATION AND ENFORCEMENT. The Board shall administer and enforce this article.

Sec. 4. AMUSEMENT RIDE OPERATION REQUIREMENTS. A person may not operate an amusement ride unless he:

(1) has the amusement ride inspected at least once annually for safety by an insurer or a person with whom the insurer has contracted and obtains from that insurer or person a written certificate that the inspection has been made and that the amusement ride meets the standards for coverage and is covered by the insurance required by Subsection (2) of this section;

(2) has an insurance policy currently in force written by an insurance company authorized to do business in this state, a surplus lines insurer as defined by Article 1.14-2 of this Code, or an independently procured policy subject to Article 1.14-1, in an amount of not less than \$1 million per occurrence insuring the owner or operator against liability for injury to persons arising out of the use of the amusement ride;

(3) files with the board, in the manner required by this article, the inspection certificate and the insurance policy required by this section or a photocopy of such a certificate or policy authorized by the board; and

(4) files with each sponsor, lessor, landowner, or other person responsible for an amusement ride being offered for use by the public a certificate stating that the insurance required by Subdivision (2) of this section is in effect.

Sec. 5. FILING AFFIDAVIT. The documents required by Section 4(3) of this article must be filed with the board before July 1 of each year, but if the amusement ride is inspected under Section 4(3) more than once a year, the inspection certificate must be filed not later than 15 days after each inspection and the insurance policy must be filed before July 1 of each year.

Sec. 6. BOARD INFORMATION REQUEST. The board may request from the sponsor, lessor, landowner, or other person responsible for an amusement ride being offered for use by the public information concerning whether or not insurance in the amount required by this article is in effect on the amusement ride. The sponsor, lessor, landowner, or other person to whom the information request is made shall respond to the board within 15 days after the request is made.

Sec. 7. DENIAL OF ENTRY TO AMUSEMENT RIDES. The owner or operator of an amusement ride may deny entry to the ride to any person if in the owner's or operator's opinion the entry may jeopardize the safety of the person who desires to enter or the safety of other patrons of the amusement ride.

Sec. 8. INJUNCTIONS. The district attorney of each county in which an amusement ride is operated or the attorney general, on request of the commissioner of insurance or one of his agents, may seek an injunction against any person operating an amusement ride in violation of this article.

Sec. 9. PENALTIES. (a) A person commits an offense if he fails to comply with any requirement under Section 4 or 5 of this article.

(b) A sponsor, lessor, landowner, or other person responsible for an amusement ride being offered for use by the public commits an offense if he fails to provide the required information or provides false information under Section 6 of this article.

(c) An offense under this section is a Class C misdemeanor.

(d) Each day a violation of this article is committed constitutes a separate offense.

SECTION 2. This Act takes effect July 1, 1983.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force according to its terms, and it is so enacted.

The amendment was read.

Senator Howard offered the following amendment to the pending amendment:

Amend the pending floor amendment to **S.B. 446**, Section 1, Article 21.53, Section 3, by adding the following:

The board shall establish reasonable and necessary fees for the administration of this Act such fees to be paid by applicants at the time of filing the affidavit required by this Act.

The amendment to the pending amendment was read and was adopted.

Question recurring on the adoption of the pending amendment as amended, the pending amendment as amended was adopted.

On motion of Senator Jones and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 446 ON THIRD READING

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 446** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 619 ON SECOND READING

On motion of Senator Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 619, Relating to the taxable business of a telegraph company.

The bill was read second time and was passed to engrossment.

SENATE BILL 619 ON THIRD READING

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 619** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Nays: Jones, Washington.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Jones asked to be recorded as voting "Nay" on the final passage of the bill.

COMMITTEE SUBSTITUTE SENATE BILL 636 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 636, Relating to the regulation of real estate brokers and salesmen and declaring an emergency.

The bill was read second time.

Senator Washington offered the following amendment to the bill:

Amend **S.B. 636** by adding the following sentence on page 1, line 61, after the period:

Appointments to the committee shall be made with due regard for the race, creed, sex, religion, and national origin of the appointees and the geographical distribution of the members of the committee.

The amendment was read and was adopted.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 636 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 636** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 642 ON SECOND READING

On motion of Senator Henderson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 642, Relating to the regulation of air conditioning contractors; providing a penalty.

The bill was read second time.

Senator Doggett offered the following amendment to the bill:

Amend **C.S.S.B. 642** by renumbering Sections 10-12 as Sections 11-13 and adding a new Section 10 to read as follows:

SECTION 10. SUNSET REVIEW; EXPIRATION. (a) The Sunset Advisory Commission shall review the operation of this Act as part of the commission's review of the office of the commissioner.

(b) Unless continued by law, this Act expires September 1, 1989.

The amendment was read and was adopted.

On motion of Senator Henderson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

(President in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 642 ON THIRD READING

Senator Henderson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 642 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

SENATE BILL 377 ON SECOND READING

On motion of Senator Doggett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 377, Relating to the administrative staff of the Texas Department of Mental Health and Mental Retardation and to the designation of facilities operated by the Texas Department of Mental Health and Mental Retardation.

The bill was read second time and was passed to engrossment.

SENATE BILL 377 ON THIRD READING

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 377 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 129 ON SECOND READING

On motion of Senator Traeger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 129, Relating to benefits from the Employees Retirement System of Texas for elected class service.

The bill was read second time and was passed to engrossment.

SENATE BILL 129 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 129 be placed on its third reading and final passage:

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

SENATE BILL 713 ON SECOND READING

On motion of Senator Uribe and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 713, Relating to the time that motor vehicle tax collections and tax receipts must be sent to the comptroller.

The bill was read second time and was passed to engrossment.

SENATE BILL 713 ON THIRD READING

Senator Uribe moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 713** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

COMMITTEE SUBSTITUTE SENATE BILL 360 ON SECOND READING

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 360, Relating to the Texas Energy and Natural Resources Advisory Council serving as an energy resource center for school districts.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 360 ON THIRD READING

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 360** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 701 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 701, Relating to a substantive revision of state law governing certain trusts.

The bill was read second time.

Senator Farabee offered the following committee amendment to the bill:

S.B. 701, a bill to be entitled an act relating to a substantive revision of state law governing certain trusts is hereby amended as follows:

1. ARTICLE 1, TITLE 2., CHAPTER 23, SECTION 23.005(b) at page 18, line 1:
"this section (with the consent of the settlor, if then living and"
2. ARTICLE 1, TITLE 2., CHAPTER 23, SECTION 23.005(c) at page 18, line 9:

- “this section (with the consent of the settlor, if then living and”
3. ARTICLE 1, TITLE 3., CHAPTER 31, SECTION 31.001(7) at page 19, lines 24 and 25:
- “(7) to exchange, reexchange, subdivide, develop, improve, make or vacate”
4. ARTICLE 1, TITLE 3., CHAPTER 31, SECTION 31.001(17) at page 23, line 7:
- “enterprise; participate in voting trusts and deposit stocks, bonds or other securities with any protective or other committee formed by or at the instance of persons holding similar securities, under such terms and conditions respecting the deposit thereof as the trustee may approve; sell any stock or other securities obtained by conversion, reorganization, consolidation, merger, liquidation, or the exercise of subscription rights free of any restrictions upon sale otherwise contained in the trust instrument relative to the securities originally held; assent to corporate sales, leases, encumbrances, and other transactions;”
5. ARTICLE 1, TITLE 3., CHAPTER 33, SECTION 33.001 at page 33, lines 3 and 4:
- “co-trustee, and any other interested person.”
6. ARTICLE 1, TITLE 3., CHAPTER 33, SECTION 33.001 at page 33, line 21:
- “petition of any interested person, such court”
7. ARTICLE 2, SUBTITLE B, CHAPTER 112, SUBCHAPTER C, SECTION 112.051(a) at page 92, line 8:
- “SETTLOR. (a) A settlor may revoke the trust unless it is”
8. ARTICLE 2, SUBTITLE B, CHAPTER 112, SUBCHAPTER C, SECTION 112.056 at page 94, line 26:
- “TRUST. (a) If the settlor of a trust that is described under”
9. ARTICLE 2, SUBTITLE B, CHAPTER 113, SUBCHAPTER A, SECTION 113.016 following SUBSECTION (4) at page 103, line 10, add a new SUBSECTION (5)
- “(5) participate in voting trusts and deposit stocks, bonds or other securities with any protective or other committee formed by or at the instance of persons holding similar securities, under such terms and conditions respecting the deposit thereof as the trustee may approve; sell any stock or other securities obtained by conversion, reorganization, consolidation, merger, liquidation, or the exercise of subscription rights free of any restrictions upon sale otherwise contained in the trust instrument relative to the securities originally held; assent to corporate sales, leases, encumbrances, and other transactions.”
10. ARTICLE 2, SUBTITLE B, CHAPTER 113, SUBCHAPTER B, SECTION 113.059 at pages 111, line 7:
- “Sec 113.059. POWER OF SETTLOR TO ALTER TRUSTEE’S”
11. ARTICLE 2, SUBTITLE B, CHAPTER 113, SUBCHAPTER B, SECTION 113.059 at pages 111, line 9:
- “settlor by provision in an instrument creating, modifying,”
12. ARTICLE 2, SUBTITLE B, CHAPTER 113, SUBCHAPTER B, SECTION 113.059(b) at page 111, line 12:
- “(b) A settlor may not relieve a corporate trustee from the”
13. ARTICLE 2, SUBTITLE B, CHAPTER 113, SUBCHAPTER C, SECTION 113.081(b) at page 112, lines 5 and 6:
- “necessary to protect the rights of other interested persons.”
14. ARTICLE 2, SUBTITLE B, CHAPTER 113, SUBCHAPTER C, SECTION 113.083 at page 112, lines 24 and 25:
- “instrument, a court may, and on petition of any interested person shall, appoint a successor in whom the trust”

15. ARTICLE 2, SUBTITLE B, CHAPTER 113, SUBCHAPTER D, SECTION 113.007(c) at page 120, line 18:

“balance of the proceeds is principal”

16. ARTICLE 2, SUBTITLE B, CHAPTER 113, SUBCHAPTER D, SECTION 113.007(c) at page 120, line 26:

“Twenty-seven and one-half percent of the gross proceeds (but not to exceed 50”

17. ARTICLE 2, SUBTITLE B, CHAPTER 113, SUBCHAPTER D, SECTION 113.007(c) at page 121, line 1:

“charges on the property, is principal, and”

18. ARTICLE 2, SUBTITLE B, CHAPTER 113, SUBCHAPTER D, SECTION 113.110(b) at page 121, line 22:

“one year and the trustee is required to change as soon as”

19. ARTICLE 2, SUBTITLE B, CHAPTER 114, SUBCHAPTER A, SECTION 114.003 at page 130, line 25:

“exclusion of the trustee, including the settlor, an advisory or”

The committee amendment was read and was adopted.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Mauzy asked to be recorded as voting “Nay” on the passage of the bill to engrossment.

SENATE BILL 701 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 701 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Mauzy asked to be recorded as voting “Nay” on the final passage of the bill.

SENATE BILL 1034 ON SECOND READING

Senator Sharp asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

S.B. 1034, Relating to the collection of special expenses by an incorporated city, town, or village.

There was objection.

(Senator Traeger in Chair)

Senator Sharp then moved to suspend the regular order of business and take up **S.B. 1034** for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, McFarland, Montford,

Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Uribe, Whitmire, Williams.

Nays: Doggett, Mauzy, Truan, Vale, Washington.

The bill was read second time.

Senator Sharp offered the following committee amendment to the bill:

Amend S.B. 1034 as follows:

(1) On page 1, line 17, between “under” and “Section” insert “Section 38.11, Penal Code, or under”

(2) On page 2, line 1, and page 2, lines 6 and 7, strike “on bail”.

The committee amendment was read and was adopted.

On motion of Senator Sharp and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by the following vote: Yeas 26, Nays 5.

Yeas: Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Uribe, Whitmire, Williams.

Nays: Doggett, Mauzy, Truan, Vale, Washington.

SENATE BILL 1034 ON THIRD READING

Senator Sharp moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 1034 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Uribe, Whitmire, Williams.

Nays: Doggett, Mauzy, Truan, Vale, Washington.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Truan, Doggett and Mauzy asked to be recorded as voting “Nay” on the final passage of the bill.

(President in Chair)

SENATE BILL 1018 ON SECOND READING

On motion of Senator Sarpalius and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1018, Relating to the amendment of Chapter 28 of the Water Code to require permits for certain drilled or mined shafts.

The bill was read second time.

Senator Sarpalius offered the following committee amendment to the bill:

Amend Section 28.035 of SECTION 1, **S.B. 1018**, by deleting the word "and" between the words "reflection" and "survey".

The committee amendment was read and was adopted.

Senator Sarpalius offered the following amendment to the bill:

Amend Section 28.028 of **S.B. 1018** by deleting the section in its entirety and substituting in lieu thereof the following:

Section 28.028. Hearing on Permit Application. (a) The commission shall hold an adjudicatory hearing on the application.

(b) The board by rule shall provide for giving notice of a public hearing on a permit application. The rules for notice shall include provisions for giving notice to local governments and interested persons.

(c) The hearing required in Subsection (a) of Section 28.028 of this chapter shall be conducted in accordance with the Administrative Procedure and Texas Register Act rules for contested cases. Any person, corporation, partnership, association, local government, government agency or other entity shall be allowed to participate in a hearing as a party under this section upon a showing of sufficient interest or of an ability to contribute to the resolution of relevant issues.

The amendment was read and was adopted.

Senator Sarpalius offered the following amendment to the bill.

Amend Sections 28.051 and 28.052 of **S.B. 1018** by deleting the sections in their entirety and substituting in lieu thereof the following:

28.051. Power to Enter Property.

Members of the commission, employees and agents of the commission and department and authorized agents or employees of local governments may enter public or private property at any time to inspect and investigate conditions relating to shaft activities or to monitor compliance with a rule, permit, or other order of the commission, board or department. Members, employees or agents acting under the authority of this section who enter an establishment on public or private property shall observe the establishment's safety, internal security, and fire protection rules.

28.052. Power to Examine Records.

Members of the commission, employees and agents of the commission and department and authorized agents or employees of local governments may examine and copy those records or memoranda of a shaft permittee, or his contractors, they are investigating or monitoring as provided by Section 28.051 of this chapter that relate to the construction and operation of a shaft or any other records required to be maintained by law.

The amendment was read and was adopted.

Senator Sarpalius offered the following amendment to the bill:

Amend SECTION 1 of **S.B. 1018** by adding the following section:

28.066. Enforcement by Local Governments and Others.

(a) If a local government is denied access to property or records, as provided in this Act, the local government may bring suit in a District Court in the county in which the violation occurs for an appropriate order to obtain access to the property or records or to recover civil penalties or for both an order and the penalties provided by Subsection (b) of this section. Civil penalties recovered in a suit under this subsection shall be paid to the local government.

(b) A permittee who denies access to property or records to a local government as provided by this Act is liable to a civil penalty of not less than One Hundred Dollars (\$100) and not more than One Thousand Dollars (\$1,000) for each violation.

(c) A local government or any person may file a written complaint with the department and request an investigation of an alleged violation by a permittee under this Act. The department shall reply to the complaint in writing within thirty (30) days after receipt of the complaint and shall provide a copy of any investigation reports relevant to the complaint together with a determination of whether or not the alleged violation was committed.

(d) If the department does not have a suit brought in court under this Act within sixty (60) days after the written complaint is filed under Subsection (c) of this section, the local government or person may bring suit in the appropriate court in the county in which the alleged violation occurred or is about to occur in the manner provided for suits by the department under Sections 28.061 and 28.062 of this Act. Penalties collected in a suit under this subsection shall be paid to the state. In a suit brought by a local government or person under this subsection, the court shall include in any final judgement in favor of the local government or person an award to cover reasonable court costs and attorney's fees.

The amendment was read and was adopted.

On motion of Senator Sarpalius and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 1018 ON THIRD READING

Senator Sarpalius moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1018** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1095 ON SECOND READING

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 1095, Relating to equipping vehicles with television type receiving equipment for the purpose of receiving digital information.

The bill was read second time and was passed to engrossment.

SENATE BILL 1095 ON THIRD READING

Senator Whitmire moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1095** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

MESSAGE FROM THE HOUSE

House Chamber
March 30, 1983

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 4, Granting permission to the Texas 4-H to use the House and Senate Chambers on July 19, 20 and 21, 1983.

H.C.R. 8, Directing the Parks and Wildlife Commission to initiate a study of the feasibility of establishing a State park in Falls County.

H.C.R. 14, Requesting the governor to give greater consideration to appointment of older citizens to State boards and commissions.

H.C.R. 16, Granting Harry Brown, Incorporated, permission to sue the State.

H.C.R. 22, Memorializing the President and Congress of the United States to redouble their efforts to secure the release of the Americans still listed as prisoners of war or missing in action in Southeast Asia.

H.C.R. 35, Requesting the Texas Legislative Council to prepare a compilation of state laws relating to persons with disabilities.

H.C.R. 36, Inviting President Ronald Reagan to address the Legislature.

H.C.R. 37, Inviting Vice-President George Bush to address the Legislature.

H.C.R. 42, Proclaiming Mauriceville as "The Crawfish Capital of Texas."

H.C.R. 49, Granting Onoray Davis permission to sue State.

H.C.R. 66, Granting Kathleen L. Joki, Warren G. Hamill, Bonny L. Keyes, Gregory L. Gregory, James W. Curry, E. Jack Blanton, Elizabeth A. Pfeil, and Catherine E. Wall permission to sue the State.

H.C.R. 74, Granting permission to Robin M. Orr and Candace D. Orr to sue the State.

S.C.R. 23, Granting Borsberry Construction Co., Inc., permission to sue the State.

S.C.R. 28, Granting H. B. Zachry Company permission to sue the State.

S.B. 374, Relating to the authority of certain counties and cities to jointly establish an auditorium.

S.B. 220, Relating to inclusion of an area as part of a city if the city has treated the area as being within its boundaries. (With amendment)

S.B. 132, Relating to the powers of and the levy of taxes and issuance of bonds by the Palo Duro River Authority.

S.B. 101, Relating to certain reports required from and the continuation of the office of the Interstate Oil Compact Commissioner for Texas.

H.C.R. 144, Directing all State departments and agencies to close for half day on Good Friday.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

HOUSE CONCURRENT RESOLUTION 144

The President laid before the Senate the following resolution:

H.C.R. 144, Directing all state departments and agencies to close for a half day on Good Friday.

The resolution was read.

On motion of Senator Doggett and by unanimous consent, the resolution was considered immediately and was adopted.

MESSAGE OF SUPPORT TO UNIVERSITY OF HOUSTON BASKETBALL TEAM

On motion of Senator Henderson and by unanimous consent, the Senate agreed to send a telegram to the University of Houston basketball team, participating in the finals of the NCAA Tournament in Albuquerque, New Mexico, expressing full support and best wishes for victory.

GUEST PRESENTED

Senator Washington was recognized and presented The Honorable Mickey Leland, former Member of the Texas House of Representatives, and now serving in the United State Congress, representing the 18th Congressional District.

Congressman Leland was welcomed by the Members.

MEMORIAL RESOLUTIONS

S.R. 397 - By Vale: Memorial resolution for Dr. Bill Crane.

S.R. 398 - By Doggett: Memorial resolution for Eugene Ford Posey.

S.R. 399 - By Doggett: Memorial resolution for Jesse Ashlock.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 395 - By Mauzy: Commending Colonel Robert C. Johnson.

S.R. 396 - By Brown: Commending the NASA Area Falconettes Drill Team and the Clear Lake Starlettes Drill Team.

S.R. 400 - By Sharp: Extending welcome to Dr. Oscar E. Hall, Capitol Physician for the Day.

S.R. 401 - By Doggett: Extending welcome to Valerie Sanchez, Honorary Page for the Day.

S.R. 402 - By Kothmann: Extending welcome to Genny Van Cleve, Honorary Page for the Day.

S.R. 403 - By Vale: Extending welcome to the first grade class of Mount Sacred Heart School, Ms. Anna Mrozinski, their teacher, and Ms. Sylvia Rodriguez, Democratic National Committeewoman.

S.R. 404 - By Brooks: Extending welcome to Miss Amy Sullivant and her mother, Mrs. Elizabeth Sullivant.

ADJOURNMENT

On motion of Senator Brooks, and in accordance with S.C.R. 48, the Senate at 12:32 o'clock p.m. adjourned until 11:00 o'clock a.m. Tuesday, April 5, 1983.

FORTY-FIFTH DAY
(Tuesday, April 5, 1983)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President Pro Tempore, Senator Jones.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Whitmire, Williams.

Absent-excused: Washington.

A quorum was announced present.

The Reverend Dr. Freddie Dixon, Sr., Wesley United Methodist Church, Austin, offered the invocation as follows:

As Senators of the State of Texas, office workers and aids, we come to You our God and our Father because You are the same from generation to generation. Yet when we listen to You there is always something surprising, something startling in what You are saying to us. At times we are shaken. At times we are hurt. Yet we know we must still listen. And listening we learn that Your Word is always a living Word and that the work to which You call us is always a contemporary task. Amen. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 23, 1983, was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Washington was granted leave of absence for today on account of important business on motion of Senator Brooks.

CO-AUTHOR OF SENATE BILL 966

On motion of Senator Whitmire and by unanimous consent, Senator Leedom will be shown as Co-author of S.B. 966.

REPORTS OF STANDING COMMITTEES

Senator Brooks submitted the following report for the Committee on Health and Human Resources:

S.B. 657

S.B. 1064

S.B. 495

Senator Harris submitted the following report for the Committee on Economic Development:

S.B. 807